THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 14856 of 2006

Date:26-03-2007

Between:

R.V.S.S.Srinivas ..
PETITIONER

AND

The Station House Officer, Bobbili P.S.,Vizianagaram and another

..
RESPONDENTS

ORDER:

The petitioners seek a writ of mandamus to declare the impugned action of the respondents in harassing the petitioners by regularly calling to the police station and keeping them in custody without there being any case registered against them as illegal and arbitrary.

2. The case of the petitioners is that the respondents-police officials illegally interfering with the personal life and liberty of the petitioners at the instance of the wife of the first petitioner. The second petitioner is the mother of the first petitioner. The respondents are also threatening to arrest the petitioners though they have not committed any cognizable offence and without there being any case registered whatsoever.

3. A counter has been filed stating that the wife of the first petitioner lodged a report on 11.06.2006 making certain allegations that the petitioners have committed an offence punishable under Section 498-A I.P.C. r/w 34 I.P.C. After receiving the said complaint, a receipt bearing No.418/2006 has been issued and summons were also issued. Accordingly, the first petitioner was summoned with a view to refer the matter to the family-counseling center, Bobbili. Based on the said summons only, the first petitioner approached the respondents on 14.06.2006 and assured that they will solve their problems before the elders. To that effect, a written undertaking has been also given to the Sub-Inspector of Police. Later on, both the parties compromised and took divorce by mutual consent on 16.09.2006 before the Lok Adallat Bench at Bobbili in P.L.C.No.23 of 2006. It is further stated that the other allegations that the second petitioner who is the mother of the first petitioner was abused in filthy language by the Sub-Inspector of Police and was made to sit in the police station till evening at 7.30 p.m. and threatened the petitioners are false and denied by the

respondents.

In view of the above, the writ petition is dismissed. No costs.

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V.ESWARAIAH, J.

Date:26.03.2007
CCM